

# Staff Summary Report



Council Meeting Date: 11/08/07

Agenda Item Number: \_\_\_\_\_

**SUBJECT:** This is the second public hearing to adopt an ordinance abandoning a water line easement, located at 1630 W. Alameda Drive, west of Priest Drive.

**DOCUMENT NAME:** 20071108PWCH03 ABANDONMENT (0901)  
**ORDINANCE NO. 2007.71**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Plans have been submitted for the University of Phoenix project. The proposed construction will require the abandonment of these sections of public water line easement. Location of new easements have been reviewed and approved through the Site Plan Review process.

**PREPARED BY:** LARRY SHOBE, ENGINEERING SERVICES ADMINISTRATOR (x8417)

**REVIEWED BY:** ANDY GOH, DEPUTY PW MANAGER/CITY ENGINEER (x8896)

**LEGAL REVIEW AS TO FORM:** CYNTHIA MCCOY, ASSISTANT CITY ATTORNEY (x2187)

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Adopt Ordinance No. 2007.71 and authorize the Mayor to execute any necessary documents.

Approved by Glenn Kephart, Public Works Manager

ORDINANCE NO. 2007.71

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING SECTIONS OF WATER LINE EASEMENT LOCATED AT 1630 W. ALAMEDA DRIVE NORTH OF ALAMEDA DRIVE AND WEST OF PRIEST DRIVE.

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WHEREAS, it has been determined by the City Council that the portions of the water line easement, described herein and shown on Exhibits “A” and “B” (containing 7 pages total), are no longer required by the City for use as such; and,

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said easement segments, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

**Section 1.** That the City of Tempe does hereby abandon, relinquish and vacate the existing portions of the water line easement as shown and described in Exhibits “A” and “B” hereto attached.

**Section 2.** That all rights of the City in the easement abandoned shall vest in the record owner(s) of the subject property and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the easement is a part.

**Section 3.** The Mayor is hereby authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

Ordinance No. 2007.71

Page Two

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA

This \_\_\_\_\_ day of November, 2007.

\_\_\_\_\_  
Mayor

ATTEST:

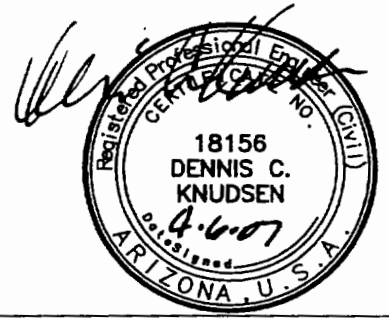
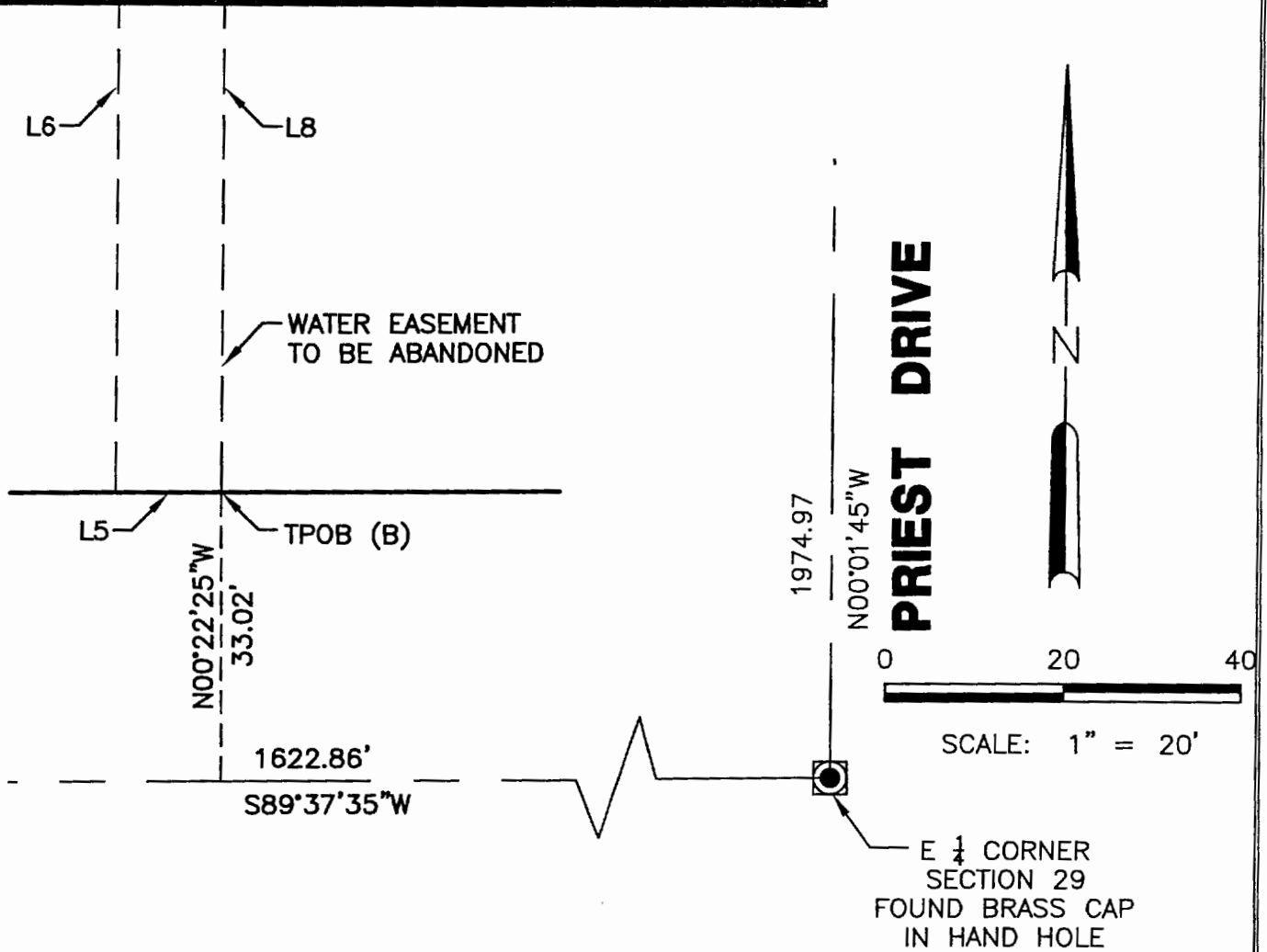
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

# EXHIBIT A

## MATCHLINE-SEE SHEET 2 OF 4



### WATER EASEMENT EXHIBIT A

UNIVERSITY OF PHOENIX  
1630 W. ALAMEDA DR.  
TEMPE, ARIZONA

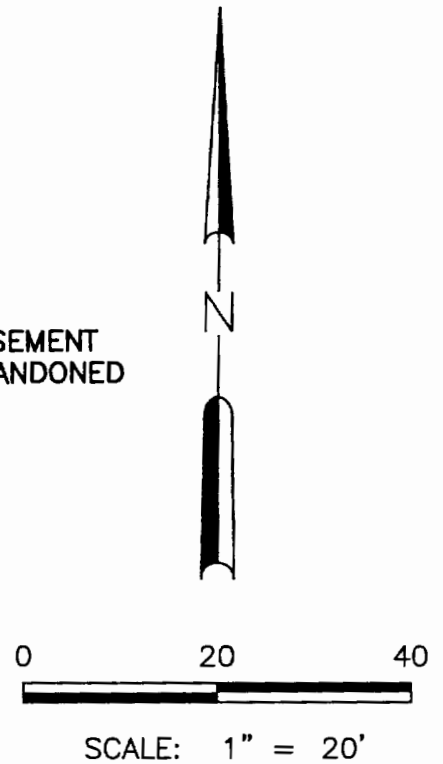
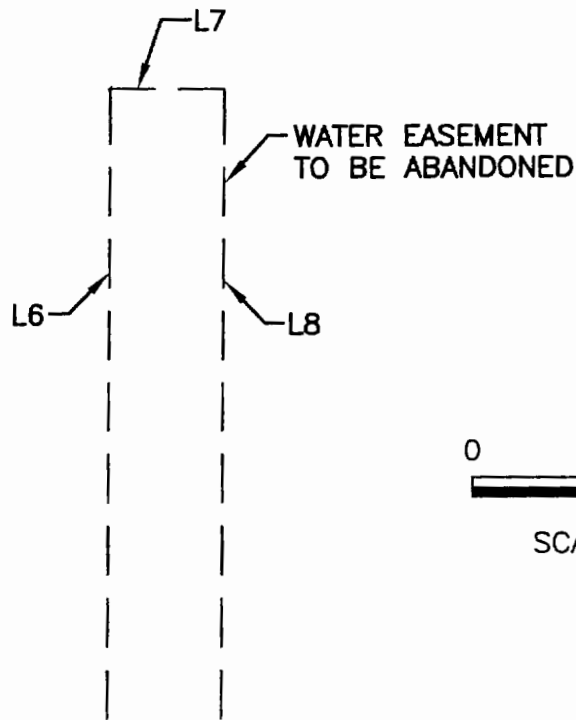
### KNUDSEN-SMITH ENGINEERING, INC.

2525 West Greenway Road, Suite 302  
Phoenix, Arizona 85023  
(602) 347-7447

JOB NO. 029-02-05	DESIGNED FSF	DRAWN SLM	CHECKED DCK	DATE 04-06-07	1 OF 4 SHEETS
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**MATCHLINE-SEE SHEET 1 OF 4**



**WATER EASEMENT EXHIBIT A**

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TEMPE, ARIZONA**

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**2** OF **4** SHEETS

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## **LEGAL DESCRIPTION 'A'**

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 29 AS  
RECORDED IN "FOUNTAINHEAD CORPORATE PARK-AMMENDED"  
ACCORDING TO THE REPLAT OF RECORD IN THE OFFICE OF THE  
COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK  
864 OF MAPS, PAGE 08;

THENCE S89°37'35"W, A DISTANCE OF 1622.86';

THENCE N00°22'25"W, A DISTANCE OF 33.02' TO THE TRUE  
POINT OF BEGINNING (B);

THENCE S89°37'35"W, A DISTANCE OF 12.00';

THENCE N00°00'00"E, A DISTANCE OF 119.06';

THENCE S90°00'00"E, A DISTANCE OF 12.00';

THENCE S00°00'00"E, A DISTANCE OF 118.98' BACK TO THE TRUE  
POINT OF BEGINNING (B).



### **WATER EASEMENT EXHIBIT A**

**UNIVERSITY OF PHOENIX  
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TEMPE, ARIZONA**

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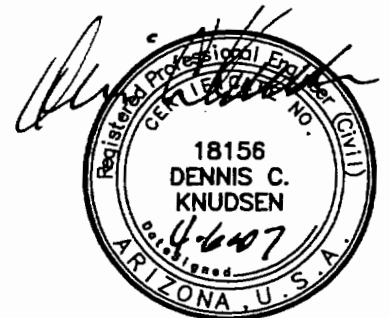
**3** OF **4** SHEETS

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LINE TABLE		
LINE	LENGTH	BEARING
L5	12.00'	S89°37'35"W
L6	119.06'	N00°00'00"E
L7	12.00'	S90°00'00"E
L8	118.98'	S00°00'00"E

## MAP CLOSURE 'A'

LINE COURSE: S 89-37-35 W LENGTH: 12.00  
LINE COURSE: N 00-00-00 E LENGTH: 119.06  
LINE COURSE: S 90-00-00 E LENGTH: 12.00  
LINE COURSE: S 00-00-00 W LENGTH: 118.98  
PERIMETER: 262.03 AREA: 1,428 SQ.FT. 0.03 ACRES  
ERROR CLOSURE: 0.0018 COURSE: N 08-17-12 E  
PRECISION 1: 145,577.78



### WATER EASEMENT EXHIBIT A

UNIVERSITY OF PHOENIX  
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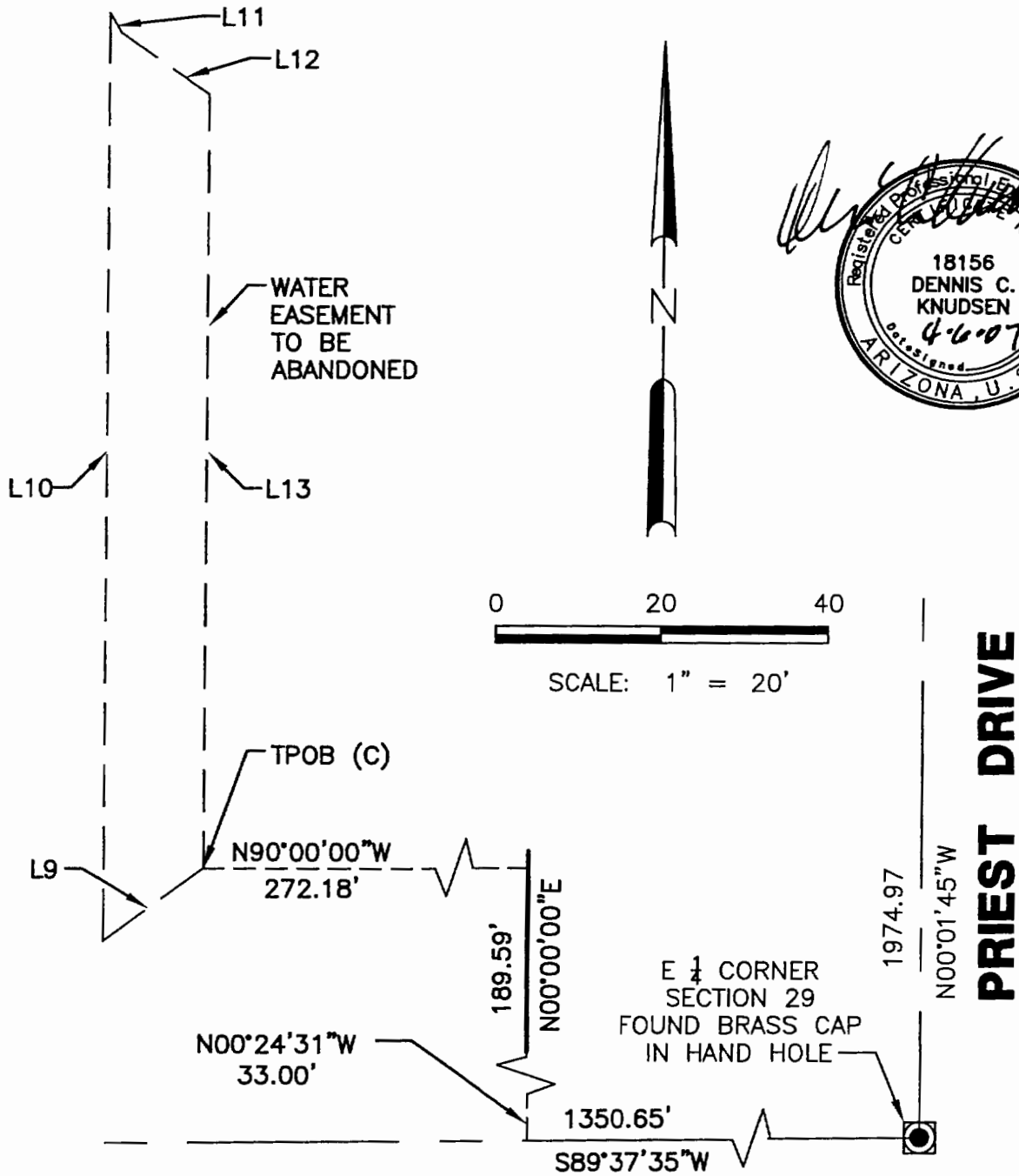
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DATE  
04-06-07

**4** OF **4** SHEETS

# EXHIBIT B

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## W. ALAMEDA DRIVE

### WATER EASEMENT EXHIBIT B

UNIVERSITY OF PHOENIX  
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**1** OF **3** SHEETS



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## **LEGAL DESCRIPTION 'B'**

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 29 AS  
RECORDED IN "FOUNTAINHEAD CORPORATE PARK-AMMENDED"  
ACCORDING TO THE REPLAT OF RECORD IN THE OFFICE OF THE  
COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK  
864 OF MAPS, PAGE 08;

THENCE S89°37'35"W, A DISTANCE OF 1350.65';

THENCE N00°24'31"W, A DISTANCE OF 33.00';

THENCE N00°00'00"E, A DISTANCE OF 189.59';

THENCE N90°00'00"W, A DISTANCE OF 272.18' TO THE TRUE POINT  
OF BEGINNING (C);

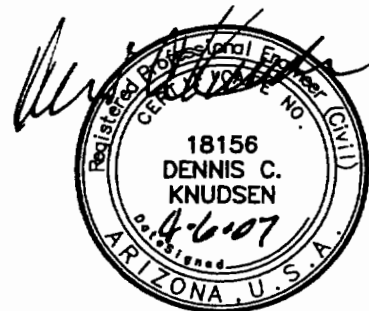
THENCE S53°54'43"W, A DISTANCE OF 14.85';

THENCE N00°00'00"E, A DISTANCE OF 112.33';

THENCE S30°00'00"E, A DISTANCE OF 2.79';

THENCE S55°01'49"E, A DISTANCE OF 12.94';

THENCE S00°00'00"E, A DISTANCE OF 93.75'; BACK TO THE TRUE  
POINT OF BEGINNING (C).



### **WATER EASEMENT EXHIBIT B**

**UNIVERSITY OF PHOENIX  
1630 W. ALAMEDA DR.  
TEMPE, ARIZONA**

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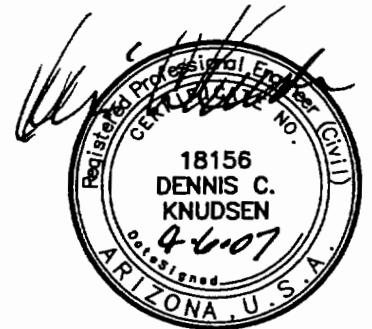
**2** OF **3** SHEETS

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LINE TABLE		
LINE	LENGTH	BEARING
L9	14.85'	S53°54'43"W
L10	112.33'	N00°00'00"E
L11	2.79'	S30°00'00"E
L12	12.94'	S55°01'49"E
L13	93.75'	S00°00'00"E

## MAP CLOSURE 'B'

LINE COURSE: N 00-00-00 E LENGTH: 112.33  
 LINE COURSE: S 30-00-00 E LENGTH: 2.79  
 LINE COURSE: S 55-01-49 E LENGTH: 12.94  
 LINE COURSE: S 00-00-00 W LENGTH: 93.75  
 LINE COURSE: S 53-54-43 W LENGTH: 14.85  
 PERIMETER: 236.67 AREA: 1,229 SQ.FT. 0.03 ACRES  
 ERROR CLOSURE: 0.0017 COURSE: N 81-48-55 W  
 PRECISION 1: 139,211.76



### WATER EASEMENT EXHIBIT B

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OF

**3**

SHEETS